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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Rebecca Dunn

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AT&T Legal Department - TKHR

Attn: Patent Docketing

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EXAMINER

RAPILLO, KRISTINE K

ART UNIT

PAPER NUMBER

3626

MAIL DATE

DELIVERY MODE

06/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/680,597	Applicant(s) DUNN ET AL.	
	Examiner KRISTINE K. RAPILLO	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-42, 46, 52, 53 and 56-60 is/are pending in the application.
- 4a) Of the above claim(s) 1-34, 43-45, 47-51, 54 and 55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 35-42, 46 and 52-53 and 56-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/10/2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application |
| 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/11/2009, 5/12/2009</u> . | 6) ☐ Other: _____ |

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the amendment submitted May 5, 2009. Claims 35, 53, and 56 are amended. Claims 54 and 55 are cancelled (claims 1 – 34, 43 – 45, and 47 - 51 were previously cancelled). Claims 35 - 42, 46, 52 – 53, and 56 – 60 are presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 5, 2009 has been entered.

Specification

3. The objection to the specification is hereby withdrawn based upon the amendment submitted May 5, 2009.

Claim Rejections - 35 USC § 112

4. The 35 USC § 112, *second paragraph* rejection of claim 35 is hereby withdrawn based upon the amendment submitted May 5, 2009.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

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6. Claims 35 and 53 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The method steps of recited in the body of claim 1 could reasonably be interpreted to encompass a human being performing these steps; the limitations "the medical resource guides being routinely updated by performing a search for most current information on a particular medical condition", "evaluating results of the search", and "selecting information from the search to be included in a medical resource guide when the information is determined to be reliable and verified to be current and found to not have already been included in the medical resource guide" can be interpreted as being performed by a person.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 35 – 38, 42 – 45, 47 – 50, 52 – 53, and 59 - 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas et al., herein after Douglas (U.S. Patent Number 6,039,688) further in view of Fields et al., herein after Fields (U.S. Publication Number 2002/0116221 A1).

In regard to claim 35 (Currently Amended), Douglas teaches a computer system for implementing a management program that provides assistance in managing a medical treatment within a business environment, comprising:

computing device that provides an electronic mailbox with an associated electronic mailbox address to receive messages from persons that are attempting to contact a representative of the program at the mailbox address ((Figures 9, 16, 17, and 59; column 13, lines 41 – 52) where Douglas discloses a communication system in which communication is conducted via e-mail. An electronic mail box is an inherent feature of e-mail communication),

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wherein the program is implemented within the business environment via a dissemination of information from the program to an active member of the business environment ((column 2, line 48 through column 3, line 9 and column 21, lines 54 – 65) where the information is provided to a user via a database, e-mail, audio, and/or video), wherein a private electronic web site for the program provides the information which includes a description of services provided by the program (column 8, line 6 – 36), medical resource guides, each containing information concerning a specific medical condition ((column 16, lines 21 – 55) where a library provides the user with information specific to their condition), an offering of support for a newly diagnosed medical condition from active members of the business environment (column 6, lines 7 – 13 and column 7, lines 23 – 37 where a physician may suggest group therapy for a patient), a request for volunteers to assist in the program (column 11, lines 3 – 20 where individuals can enter a chat/meeting room voluntarily, thus assisting others with their problems), and an address for the electronic mailbox to be used by an active member of the business environment to inquire about receiving assistance from the program or to inquire about volunteering for the program (Figures 16 – 19 and column 13, line 54 through column 14, line 3), the medical resource guides being routinely updated by performing a search for most current information on a particular medical condition (column 16, lines 21 – 55), selecting information from the search to be included in a medical resource guide when the information is determined to be reliable and verified to be current and found to not have already been included in the medical resource guide (Column 15, line 1 – 4 and column 16, lines 26 – 34 where Douglas includes links to reputable articles/information that are updated frequently), and wherein the program is implemented outside the business environment via a dissemination of additional information from the program to a person that is not an active member of the business environment (Column 5, lines 52 – 59 where a family member is equated to a non-active member).

Fields teaches a computer system for implementing a management program comprising: wherein a public electronic web site for the program provides the additional information which includes the description of services provided by the program and a request for support from persons that are not active members (Figures 6A and 7A; paragraphs [0034], [0035], and [0036]), evaluating results of the search (column 16, lines 21 – 55), and wherein medical resource guides on different medical conditions

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are available via the private web site to an active member being assisted by the program for a newly diagnosed medical condition (Figures 6A and 7A; paragraphs [0034], [0035], and [0036]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system for implementing a management program comprising: wherein a public electronic web site for the program provides the additional information which includes the description of services provided by the program and a request for support from persons that are not active members evaluating results of the search, and wherein medical resource guides on different medical conditions are available via the private web site to an active member being assisted by the program for a newly diagnosed medical condition as taught by Fields, within the system of Douglas, with the motivation of providing a computer implemented system to provide support services to a patient (paragraph [0027]).

In regard to claim 36 (Previously Presented), Douglas and Fields teach the computer system of claim 35. Douglas further teaches a system wherein the electronic mailbox is a voice mailbox (Figure 47).

In regard to claim 37 (Previously Presented), Douglas and Fields teach the computer system of claim 35. Douglas further teaches a system wherein the electronic mailbox is an email mailbox (Figure 47).

In regard to claim 38 (Previously Presented), Douglas and Fields teach the computer system of claim 35. Douglas further teaches a system comprising: an Internet server to store a web site for the program, wherein the web site contains a description of services performed by the program that is tailored towards a group of persons from whom the program is interested in obtaining support (Figure 59 and column 5, lines 45 – 59).

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In regard to claim 41 (Previously Presented), Douglas and Fields teach the computer system of claim 35. Douglas further teaches a system wherein the local information network comprises: a private messaging network that is utilized by the active members (column 13, lines 9 – 13).

In regard to claim 42 (Previously Presented), Douglas and Fields teach the computer system of claim 35.

Fields further teaches a system comprising the local information the local information network comprising a video monitoring system to display video information to the active members (Figures 6A and 6B; paragraphs [0009], [0027], [0040]).

The motivation to combine the teachings of Douglas and Fields is discussed in the rejection of claim 35, and incorporated herein.

In regard to claim 52 (Previously Presented), Douglas and Fields teach the computer system of claim 35. Douglas further teaches a system comprising: a database to store a record of the tasks that are performed by components of the program and the current organizational structure of the program (Figure 1 and column 9, lines 23 – 28).

Computer readable media claims 53 and 56 and 59 - 60 repeat the subject matter of computer system claims 35 – 38 and 41 - 42. As the underlying processes of claims 35 – 38 and 41 - 42 have been shown to be fully disclosed by the teachings of Douglas and Fields in the above rejections of claims 35 – 38 and 41 - 42; as such, these limitations (53 and 56 and 59 - 60) are rejected for the same reasons given above for claims 35 – 38 and 41 - 42 and incorporated herein.

9. Claims 39 – 40, 46, 51, and 57 - 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas and Fields, and further in view of Ziarno (U.S. Patent Number 5,665,952).

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In regard to claim 39 (Previously Presented), Douglas and Fields teach the computer system of claim 38. Douglas and Fields fail to teach a system wherein the support comprises volunteer services.

Ziarno teaches a system wherein the support comprises volunteer services (column 3, lines 16 – 30 and column 45, line 61 through column 46, line 28).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system wherein the support comprises volunteer services as taught by Ziarno, within the system of Douglas and Fields, with the motivation of streamlining a process to procure monetary commitments for the benefit of a group, including medical support groups (column 8, lines 61 – 64 and column 70, lines 31 – 48)

In regard to claim 40 (Previously Presented), Douglas and Fields teach the computer system of claim 38. Douglas and Fields fail to teach a system wherein the support comprises a monetary gift.

Ziarno teaches a system wherein the support comprises a monetary gift (column 29, lines 15 - 19).

The motivation to combine the teachings of Douglas, Fields, and Ziarno is discussed in the rejection of claim 39, and incorporated herein.

In regard to claim 46 (Previously Presented), Douglas and Fields teach the computer system of claim 35. Fields further teaches a system wherein the information network further communicates with members of the business environment who are eligible to receive assistance from the program (Figures 6A and 7A; paragraphs [0035] and [0036]).

Douglas and Fields fail to teach a system wherein the information network further communicates with retired members.

Ziarno teaches a system wherein the information network further communicates with retired members (column 85, line 53 through column 86, line 11). Ziarno teaches a system where retirees can be members (or volunteers) of an organization, thus, it would be obvious that if a retiree can be a board member of an organization, he/she should also be eligible to participate in the support program.

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The motivation to combine the teachings of Douglas, Fields, and Ziarno is discussed in the rejection of claim 39, and incorporated herein.

Computer readable media claims 57 - 58 repeat the subject matter of computer system claims 39 - 40. As the underlying processes of claims 39 - 40 have been shown to be fully disclosed by the teachings of Douglas and Fields in the above rejections of claims 39 - 40; as such, these limitations (57 - 58) are rejected for the same reasons given above for claims 39 - 40 and incorporated herein.

Response to Arguments

10. Applicant's arguments filed May 5, 2009 have been fully considered but they are not persuasive. Applicant's arguments will be addressed herein below in the order in which they appear in the response filed May 5, 2009.

In response to the Applicant's argument, it is respectfully submitted that the Examiner has applied new passages and new citations to the amended claims. The Examiner notes that the amended limitations were not in the previously pending claims; as such, Applicant's remarks with the regard to the application of Douglas, Fields, and Ziarno are addressed in the above Office Action.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chemtob (U.S. Patent Number 7,124,164) discloses a method and apparatus from providing group interactions via communication networks.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KRISTINE K. RAPILLO whose telephone number is (571)270-3325. The examiner can normally be reached on Monday to Thursday 6:30 am to 4 pm Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Luke Gilligan can be reached on 571-272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KKR

/C. Luke Gilligan/
Supervisory Patent Examiner, Art Unit 3626